

Entered 10-10-02 - sb
CL 02L0725 - GWENDOLYN BURNS

CLAIM OF: JOE L. WILLIAMS
7561 Colonial Court
Jonesboro, Georgia 30236

04-R-1907

For damages alleged to have been sustained when a vehicle drove over a construction site that was left open and in an unsafe condition on August 22, 2002 at 2770 Campbellton Road, SW.

THIS ADVERSED REPORT IS
APPROVED

BY:


JERRY L. DELOACH
DEPUTY CITY ATTORNEY

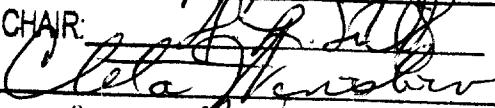
ADVERSE REPORT

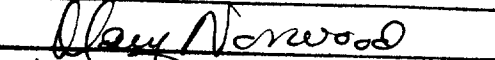
PUBLIC SAFETY &

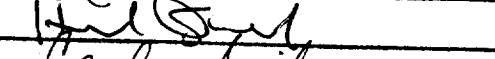
LEGAL ADMINISTRATION COMMITTEE

DATE: 10/26/04

CHAIR:

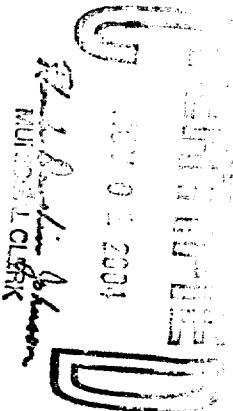
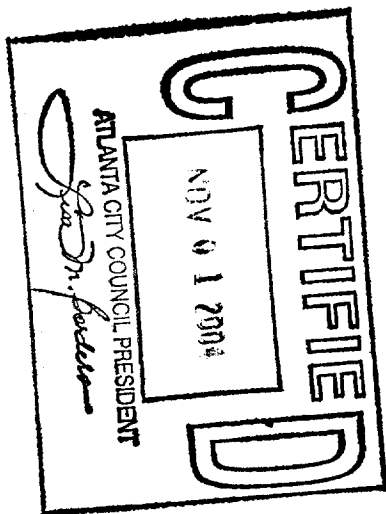

C. T. Mable


Olwyn Norwood


Carla Anich

ADVERSED BY
CITY COUNCIL

NOV 01 2004





**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

November 9, 2004

**55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30303
(404) 330-6033
FAX (404) 658-6273**

Joe L. Williams
7561 Colonial Court
Jonesboro, GA 30236

04-R-1907

Dear Mr. Williams:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on November 01, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0725

Date: October 12, 2004

Claimant /Victim JOE L. WILLIAMS
BY: (Atty) (Ins. Co.) _____
Address: 7561 Colonial Court, Jonesboro, Georgia 30236
Subrogation: _____ Claim for Property damage \$ 1,300.00 Bodily Injury \$ _____
Date of Notice: 10/9/02 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 8/22/02 Place: 2770 Campbellton Road, SW
Department _____ Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that he sustained vehicular damages when he drove over a sidewalk and driveway that were under construction and left in an open and unsafe condition during a road widening project. However, an investigation determined that the construction work was performed by an outside contractor. The claimant has been so advised and his claim has been forwarded to the contractor for resolution.


INVESTIGATION:

Statements: City employee _____ Claimant _____ Others X Written _____ Oral X
Pictures X Diagrams _____ Reports: Police _____ Dept Report _____ Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

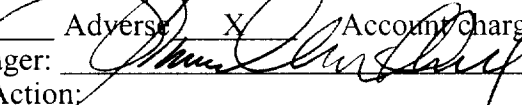
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2P01 _____ 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 10/13/04
Committee Action: _____ Council Action _____

RCS# 6199
11/01/04
1:42 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 3-15

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	B Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

CONSENT I

		11-01-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 04-O-1626 2. 04-O-1795 3. 04-O-1796 4. 04-O-1828 5. 04-O-1819 6. 04-O-1929 7. 04-O-1758 8. 04-O-1932 9. 04-O-1430 10. 04-O-1926 11. 04-O-1885 12. 04-O-1937 13. 04-O-1941 14. 04-R-1893 15. 04-R-1894 16. 04-R-1895 17. 04-R-1916 18. 04-R-1917 19. 04-R-1918 20. 04-R-1920 21. 04-R-1896 22. 04-R-1897 23. 04-R-1898 24. 04-R-1899 25. 04-R-1930 26. 04-R-1884 27. 04-R-1886 28. 04-R-1888 29. 04-R-1889 30. 04-R-1890 31. 04-R-1891 32. 04-R-1928 33. 04-R-1938 34. 04-R-1870 35. 04-R-1871 36. 04-R-1874 37. 04-R-1945	38. 04-R-1878 39. 04-R-1940 40. 04-R-1908 41. 04-R-1909 42. 04-R-1910 43. 04-R-1911 44. 04-R-1912 45. 04-R-1913 46. 04-R-1914 47. 04-R-1915	48. 04-R-1162 49. 04-R-1172 50. 04-R-1178 51. 04-R-1782 52. 04-R-1900 53. 04-R-1901 54. 04-R-1902 55. 04-R-1903 56. 04-R-1904 57. 04-R-1905 58. 04-R-1906 59. 04-R-1907